

SECOND REGULAR SESSION

# HOUSE BILL NO. 1332

## 91ST GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE TROUPE.

Pre-filed December 27, 2001, and 1000 copies ordered printed.

TED WEDEL, Chief Clerk

3426L.011

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### AN ACT

To repeal section 115.289, RSMo, and to enact in lieu thereof one new section relating to public availability of absentee ballot lists.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 115.289, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 115.289, to read as follows:

115.289. 1. Except as provided in subsection 3 of this section, as applications for absentee ballots are received, the election authority shall list the name, voting address and mailing address, if different, of each applicant. Any person [authorized under subsection 2 of this section] may copy the list, and the election authority may make copies of the list available to such persons for a reasonable fee determined by the election authority.

2. [Except as provided in subsection 4 of this section,] All lists of applications for absentee ballots shall be [kept confidential to the extent that such lists of applications shall not be posted or displayed in any area open] **available** to the general public[, nor shall such lists of applications be shown to any person who is not entitled to see such lists of applications, either pursuant to the provisions of this chapter or any other provisions of law. Persons entitled to see such lists shall include a candidate or a duly authorized representative of a campaign committee as defined in section 130.011, RSMo, or any person with written authorization from a candidate, or any person that has applied for an absentee ballot].

3. In each city not within a county, in each county of the first classification [having a population of] **with a charter form of government and with** more than [nine hundred thousand] **one million** inhabitants, in each county of the first classification [containing the major

**EXPLANATION — Matter enclosed in bold faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

17 portion of a city which has over three] **with a charter form of government and with more**  
18 **than six hundred thousand but less than seven** hundred thousand inhabitants, and in that  
19 portion of [each city which has over three] **any home rule city with more than four** hundred  
20 thousand inhabitants and located in more than one county, situated in the [county containing the  
21 major portion of the city] **county of the first classification with a charter form of government**  
22 **and with more than six hundred thousand but less than seven hundred thousand**  
23 **inhabitants**, as applications for absentee ballots are received, the election authority shall list the  
24 name, voting address and mailing address, if different, of each applicant. [Prior to 8:00 a.m. on  
25 the Friday before an election all absentee ballot applications, lists of absentee ballot applications,  
26 or any information contained on the absentee ballot applications shall be kept confidential. Use  
27 of the applications, lists or information contained thereon by the election authority prior to 8:00  
28 a.m. on the Friday before an election for purposes other than processing absentee ballots shall  
29 be deemed a class one election offense.] After 8:00 a.m. on the Friday before an election any  
30 person [authorized under subsection 4 of this section] may copy the list, and the election  
31 authority may make copies of the list available to such persons for a reasonable fee determined  
32 by the election authority.

33 4. In each city not within a county, in each county of the first classification [having a  
34 population of] **with a charter form of government and with** more than [nine hundred  
35 thousand] **one million** inhabitants, in each county of the first classification [containing the major  
36 portion of a city which has over three] **with a charter form of government and with more**  
37 **than six hundred thousand but less than seven** hundred thousand inhabitants, and in that  
38 portion of [each city which has over three] **any home rule city with more than four** hundred  
39 thousand inhabitants and located in more than one county, situated in the [county containing the  
40 major portion of the city] **county of the first classification with a charter form of government**  
41 **and with more than six hundred thousand but less than seven hundred thousand**  
42 **inhabitants**, after 8:00 a.m. on the Friday before an election, all lists of applications for absentee  
43 ballots shall be [kept confidential to the extent that such lists of applications shall not be posted  
44 or displayed in any area open] **available** to the general public[, nor shall such lists of applications  
45 be shown to any person who is not entitled to see such lists of applications, either pursuant to the  
46 provisions of this chapter or any other provisions of law. Persons entitled to see such lists shall  
47 include a candidate or a duly authorized representative of a campaign committee as defined in  
48 section 130.011, RSMo, or any person with written authorization from a candidate, or any person  
49 that has applied for an absentee ballot].